

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

SANDRA K. KRAUSE,

Plaintiff,

vs.

NEVADA MUTUAL INSURANCE CO., *et al.*,

Defendants.

Case No. 2:13-cv-00976-APG-CWH

ORDER

This matter is before the Court on Defendants' Motion to Seal Petition for Removal (#2), filed June 3, 2013; Defendants' Motion to Seal Motion to Consolidate (#5), filed June 3, 2013; Defendants' Motion to Seal Motion to Dismiss (#9), filed June 3, 2013; and Defendants' Motion to Seal Declaration of Jack Juan (#11), filed June 3, 2013. File Documents Under Seal (#79), filed May 24, 2013, and Defendants' Motion to File Documents Under Seal (#88), filed June 3, 2013.

Relying on a protective order entered in a different case, Defendants request that the entire petition for removal (#1) be sealed. They also requests that the motion to consolidate (#6), motion to dismiss (#8), and declaration submitted in support of the motion to dismiss (#10) be sealed. Assuming the protective order applies in this case, it was specifically entered to facilitate discovery. The Court did not enter a blanket order permitting the sealing of discovery documents for all purposes. Nor would it based on substantial Ninth Circuit case law to the contrary. Ultimately, Defendants have not provided points and authorities to support their motions. Pursuant to Local Rule 7-2(d), "[t]he failure of a moving party to file points and authorities in support of the motion shall constitute a consent to the denial of the motion." The Court will deny these motions without prejudice. Defendants are invited to fully brief the sealing issue and are encouraged to start their research with a review of *Kamakana v. City and County of Honolulu*, 447 F.3d 1172 (9th Cir.

2006).

Based on the foregoing and good cause appearing therefore,

IT IS HEREBY ORDERED that Defendants' Motion to Seal Petition for Removal (#2), Defendants' Motion to Seal Motion to Consolidate (#5), Defendants' Motion to Seal Motion to Dismiss (#9), and Defendants' Motion to Seal Declaration of Jack Juan (#11) are **denied without prejudice**. New motions, if any, shall be filed by Friday, June 14, 2013.

DATED: June 4, 2013.



C.W. Hoffman, Jr.
United States Magistrate Judge